

IN THE UNITED STATES PATENT OFFICE

Express Mail EL008174427US

In re Application of Klimko et al.

Serial No. 08/917,795

Filed: August 21, 1997

Examiner: R. Raymond

Group Art Unit: 1611

For: Use of Cloprostenol and Fluprostenol Analogues  
To Treat Glaucoma and Ocular Hypertension



# 7  
9/22/98  
MW

RESPONSE

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Please consider the following remarks in response to the Examiner's Office  
Action dated June 18, 1998.

REMARKS

Claims 24-45 are pending in the present application. In his Office Action, the Examiner rejected all pending claims (24-45) under 35 U.S.C. §101 as claiming the same invention as that of prior U.S. patents, i.e. a statutory double patenting rejection. Applicants respectfully traverse this rejection. The claims of the prior U.S. patents and the pending claims of the present application are not "drawn to identical subject matter." Rather, the pending claims possess limitations which make them narrower than their counterparts in the prior patents. Specifically, the pending